

**IN THE CLAIMS:**

Please write the claims to read as follows:

- 1 1. (Currently Amended) A system for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array, the  
3 system comprising:  
4 a log in the backup memory containing the storage system transaction entries ac-  
5 cumulated after a consistency point at which time results of the storage system transac-  
6 tion entries are committed to the disk array;  
7 an initiator process that establishes a swarm of messages with respect to the stor-  
8 age system transaction entries and delivers the swarm to the file system; and  
9 a parallel disk information-retrieval process in the file system that is carried out  
10 on the swarm of messages ~~in parallel~~.  
  
1 2. (Original) The system as set forth in claim 1 wherein each of the messages of the  
2 swarm is identified by a transaction block including a pointer to one of the transaction  
3 request entries in the log, respectively, and a state that indicates whether each of the mes-  
4 sages is one of (a) newly transferred to the file system, (b) subject to completion of a  
5 LOAD phase thereon by the disk information-retrieval process, (c) subject to completion  
6 of a MODIFY phase thereon by a MODIFY process of the file system or (d) incapable of  
7 being subject to the LOAD phase until a prerequisite event occurs.  
  
1 3. (Original) The system as set forth in claim 2 wherein the prerequisite event is com-  
2 pletion of the LOAD phase and a MODIFY phase with respect to another of the mes-  
3 sages.

1 4. (Original) The system as set forth in claim 3 wherein the initiator process is adapted  
2 to retransfer each of the messages incapable of being subject to a load phase until the pre-  
3 requisite event occurs to the file system for completion of the LOAD phase after the pre-  
4 requisite event occurs, respectively.

1 5. (Original) The system as set forth in claim 4 wherein the initiator is adapted to estab-  
2 lish a skip state with respect to skipped messages for which a portion of the disk array  
3 associated therewith is unavailable, the skip state thereby omitting the skipped messages  
4 from the swarm.

1 6. (Original) The system as set forth in claim 4 wherein the file system includes a panic  
2 state adapted to alert an operator if a first message received from the initiator in the  
3 swarm is a message incapable of being subject to a load phase until a prerequisite event  
4 occurs.

1 7. (Original) The system as set forth in claim 4 wherein the file system includes a panic  
2 state adapted to alert an operator if a message retransferred by the initiator process is a  
3 message incapable of being subject to a load phase until a prerequisite event occurs.

1 8. (Original) The system as set forth in claim 1 wherein the backup memory comprises  
2 a non-volatile random access memory (NVRAM).

1 9. (Original) The system as set forth in claim 1 wherein the storage system comprises a  
2 network storage appliance.

1 10. (Currently Amended) A method for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array, the  
3 method comprising:

4           accumulating, in a log in the backup memory, storage system transaction request  
5 entries after a consistency point at which time results of the transaction request entries are  
6 committed to the disk array;  
7           establishing a swarm of messages with respect to the transaction request entries  
8 and delivering the swarm to the file system; and  
9           performing a parallel disk information-retrieval process of the file system on the  
10 swarm of messages ~~in parallel~~.

1   11. (Original) The method as set forth in claim 10 further comprising establishing, for  
2 each of the messages of the swarm, a transaction block including a pointer to one of the  
3 transaction request entries in the log, respectively, and a state that indicates whether each  
4 of the messages is one of (a) newly transferred to the file system, (b) subject to comple-  
5 tion of a LOAD phase thereon by the disk information-retrieval process, (c) subject to  
6 completion of a MODIFY phase thereon by a MODIFY process of the file system or (d)  
7 incapable of being subject to the LOAD phase until a prerequisite event occurs.

1   12. (Original) The method as set forth in claim 11 wherein the prerequisite event is com-  
2 pletion of the LOAD phase and a MODIFY phase with respect to another of the mes-  
3 sages.

1   13. (Original) The method as set forth in claim 12 further comprising retransferring each  
2 of the messages incapable of being subject to a load phase until the prerequisite event oc-  
3 curs to the file system for completion of the LOAD phase after the prerequisite event oc-  
4 curs, respectively.

1   14. (Original) The method as set forth in claim 10 wherein the storage system comprises  
2 a network storage appliance.

1 15. (Currently Amended) A computer-readable medium including program instructions  
2 executing on a computer for parallelized replay of a backup memory in a storage system  
3 having a file system for managing transfer of data to and from an attached disk array, the  
4 program instructions performing the steps of:

5 accumulating, in a log in the backup memory, storage system transaction request  
6 entries after a consistency point at which results of the transaction request entries are  
7 committed to the disk array;

8 establishing a swarm of messages with respect to the transaction request entries  
9 and delivering the swarm to the file system; and

10 performing parallel a disk information-retrieval process of the file system on the  
11 swarm of messages ~~in parallel~~.

1 16. (Original) The computer-readable medium as set forth in claim 15 further comprising  
2 establishing, for each of the messages of the swarm, a transaction block including a  
3 pointer to one of the transaction request entries in the log, respectively, in the log and a  
4 state that indicates whether each of the messages is one of (a) newly transferred to the file  
5 system, (b) subject to completion of the LOAD phase thereon by the disk information-  
6 retrieval process, (c) subject to completion of a MODIFY phase thereon by a MODIFY  
7 process of the file system or (d) incapable of being subject to the LOAD phase until a  
8 prerequisite event occurs.

1 17. (Original) The computer-readable medium as set forth in claim 16 wherein the pre-  
2 requisite event is completion of the LOAD phase and a MODIFY phase with respect to  
3 another of the messages.

1 18. (Original) The computer-readable medium as set forth in claim 17 further comprising  
2 retransferring each of the messages incapable of being subject to a load phase until the  
3 prerequisite event occurs to the file system for completion of the LOAD phase after the  
4 prerequisite event occurs, respectively.

1 19. (Original) The computer-readable medium as set forth in claim 15 wherein the stor-  
2 age system comprises a network storage appliance.

1 20. (Currently Amended) An apparatus for replay of a backup memory in a storage sys-  
2 tem having a file system for managing transfer of data to and from an attached disk array,  
3 comprising:

4 a processor to determine a consistency point in time, said apparatus containing at  
5 least one transaction entry accumulated after the consistency point, where at the time of  
6 the consistency point the transaction entries are committed to the disk array;

7 a plurality of messages, each message of said plurality of messages being related  
8 to a transaction entry of said transaction entries accumulated after the consistency point,  
9 said plurality of messages being referred to as a swarm of messages;

10 an initiator process to deliver the swarm of messages to the file system; and

11 a parallel disk information-retrieval process that processes the swarm of messages  
12 ~~in parallel~~.

1 21. (Previously Presented) The apparatus as set forth in claim 20, further comprising:

2 each of the messages of the swarm is identified by a transaction block including a  
3 pointer to one of the transaction request entries.

1 22. (Previously Presented) The apparatus as set for in claim 20, further comprising:

2 a state that indicates whether each of the messages is one of

3 (a) newly transferred to the file system,

4 (b) subject to completion of a LOAD phase thereon by the disk informa-  
5 tion-retrieval process,

6 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
7 cess of the file system, or

8 (d) incapable of being subject to the LOAD phase until a prerequisite  
9 event occurs.

1 23. (Previously Presented) The apparatus as set forth in claim 22, further comprising:  
2 the prerequisite event is completion of the LOAD phase and a MODIFY phase  
3 with respect to another of the messages.

1 24. (Previously Presented) The apparatus as set forth in claim 23, further comprising:  
2 the initiator process is adapted to retransfer each of the messages incapable of be-  
3 ing subject to a load phase until the prerequisite event occurs to the file system for com-  
4 pletion of the LOAD phase after the prerequisite event occurs, respectively.

1 25. (Previously Presented) The apparatus as set forth in claim 20, further comprising:  
2 the initiator is adapted to establish a skip state with respect to skipped messages  
3 for which a portion of the disk array associated therewith is unavailable, the skip state  
4 thereby omitting the skipped messages from the swarm.

1 26. (Currently Amended) A method for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array, the  
3 method comprising:  
4 accumulating one or more transaction request entries after a consistency point,  
5 said consistency point is a time at which results of the transaction request entries are  
6 committed to the disk array;  
7 establishing a plurality of messages with respect to the transaction request entries,  
8 said plurality of messages being referred to as a swarm of messages and delivering the  
9 swarm to the file system; and  
10 executing a parallel disk information-retrieval process on the swarm of messages  
11 ~~in parallel~~.

1 27. (Previously Presented) The method as set forth in claim 26, further comprising:  
2 establishing, for each of the messages of the swarm, a transaction block including  
3 a pointer to one of the transaction request entries in the log.

1 28. (Previously Presented) The method as set forth in claim 20, further comprising:  
2 establishing a state that indicates whether each of the messages is one of  
3 (a) newly transferred to the file system,  
4 (b) subject to completion of a LOAD phase thereon by the disk informa-  
5 tion-retrieval process,  
6 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
7 cess of the file system, or  
8 (d) incapable of being subject to the LOAD phase until a prerequisite  
9 event occurs.

1 29. (Previously Presented) The method as set forth in claim 28, further comprising:  
2 using as the prerequisite event completion of the LOAD phase and a MODIFY  
3 phase with respect to another of the messages.

1 30. (Previously Presented) The method as set forth in claim 29, further comprising:  
2 retransferring each of the messages incapable of being subject to a load phase un-  
3 til the prerequisite event occurs to the file system for completion of the LOAD phase af-  
4 ter the prerequisite event occurs.

1 31. (Currently Amended) An apparatus for replay of a backup memory in a storage sys-  
2 tem having a file system for managing transfer of data to and from an attached disk array,  
3 comprising:  
4 means for accumulating, a transaction request entry after a consistency point, said  
5 consistency point is a time at which results of the transaction request entries are commit-  
6 ted to the disk array;

7 means for establishing a plurality of messages with respect to the transaction re-  
8 quest entries, said plurality of messages being referred to as a swarm of messages and  
9 delivering the swarm to the file system; and  
10 means for parallel processing of a disk information-retrieval process of the file  
11 system on the swarm of messages ~~in parallel~~.

1 32. (Previously Presented) The apparatus as set forth in claim 31, further comprising:

2 means for establishing, for each of the messages of the swarm, a transaction block  
3 including a pointer to one of the transaction request entries in the log.

1 33. (Previously Presented) The apparatus as set forth in claim 32, further comprising:

2 means for establishing a state that indicates whether each of the messages is one  
3 of

- 4 (a) newly transferred to the file system,  
5 (b) subject to completion of a LOAD phase thereon by the disk informa-  
6 tion-retrieval process,  
7 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
8 cess of the file system, or  
9 (d) incapable of being subject to the LOAD phase until a prerequisite  
10 event occurs.

1 34. (Previously Presented) The apparatus as set forth in claim 33, further comprising:

2 means for using as the prerequisite event completion of the LOAD phase and a  
3 MODIFY phase with respect to another of the messages.



1 35. (Previously Presented) The apparatus as set forth in claim 34, further comprising:  
2 means for retransferring each of the messages incapable of being subject to a load  
3 phase until the prerequisite event occurs to the file system for completion of the LOAD  
4 phase after the prerequisite event occurs.

1 36. (Previously Presented) A computer readable media, comprising:  
2 said computer readable media having instructions written thereon for execution on  
3 a processor for the practice of the method of claim 10 or claim 26.

1 37. (Previously Presented) Electromagnetic signals propagating on a computer network,  
2 comprising:  
3 said electromagnetic signals carrying instructions for execution on a processor for  
4 the practice of the method of claim 10 or 26.

1 38. (Previously Presented) The system of claim 1, further comprising:  
2 a third process that modifies at least some messages in the swarm of messages  
3 based on the order in which storage system transaction entries were stored in the log.

1 39. (Previously Presented) The method of claim 10, further comprising:  
2 modifying at least some messages in the swarm of messages based on the order in  
3 which storage system transaction request entries were accumulated in the log.

1 40. (Previously Presented) The method of claim 26, further comprising:  
2 modifying at least some messages in the swarm of messages based on the order in  
3 which transaction request entries were accumulated in the log.

1 41. (Currently Amended) A file system, comprising:  
2 a backup memory storing a plurality of file system transaction entries;

3           a first process that establishes a swarm of messages with respect to the file system  
4 transaction entries and delivers the swarm of messages to the file system;  
5           a second process that performs a parallel LOAD phase ~~in a concurrent manner~~ for  
6 a plurality of messages in the swarm of messages; and  
7           a third process that performs a MODIFY phase for at least some messages in the  
8 swarm of messages, the MODIFY phase operating on messages based on the order in  
9 which file system transaction entries were stored in the backup memory.

1   42.   (Previously Presented) The file system of claim 41, further comprising:  
2           a fourth process that determines whether a file system transaction entry corre-  
3 sponds to a file system transaction that can be performed right away.

1   43.   (Previously Presented) The file system of claim 42, wherein the fourth process,  
2 in response to determining that the file system transaction can not be performed right  
3 away, associates the file system transaction entry with a LOAD RETRY state until a prior  
4 prerequisite transaction is performed.

1   44.   (Currently Amended) A method, comprising:  
2           storing a plurality of file system transaction entries in a backup memory;  
3           establishing a swarm of messages with respect to the file system transac-  
4 tion entries;  
5           delivering the swarm of messages to a file system;  
6           performing a parallel LOAD phase ~~in a concurrent manner~~ for a plurality  
7 of messages in the swarm of messages; and  
8           performing a MODIFY phase for at least some messages in the swarm of  
9 messages, the MODIFY phase operating on messages based on the order in which  
10 file system transaction entries were stored in the backup memory.

1   45.   (Currently Amended) A system, comprising:

2                   means for storing a plurality of file system transaction entries in a backup  
3                   memory;  
4                   means for establishing a swarm of messages with respect to the file system  
5                   transaction entries;  
6                   means for delivering the swarm of messages to a file system;  
7                   means for performing a parallel LOAD phase ~~in a concurrent manner~~ for a  
8                   plurality of messages in the swarm of messages; and  
9                   means for performing a MODIFY phase for at least some messages in the  
10                  swarm of messages, the MODIFY phase operating on messages based on the or-  
11                  der in which file system transaction entries were stored in the backup memory.

1 Please add new claims 46 *et al.*

1 46. (New) A method, comprising:

2 storing a plurality of file system transaction entries in a backup memory;

3 establishing a swarm of messages with respect to the file system transaction en-  
4 tries;

5 delivering the swarm of messages to a file system; and

6 performing a parallel retrieval process for a plurality of messages in the swarm of  
7 messages by processing the messages in a somewhat arbitrary order, where the retrieval  
8 process is processed by commingling the processing of messages and steps of the re-  
9 trieval process.